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## Table of Contents

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Executive Summary

Part 1: Project Reflection

Relationship to Human Rights

Background

Methodology/Goal of Project

Gun Violence in New Haven

Opportunities and Challenges

Critiques

Conclusions

Part 2: Academic Essay

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## Executive Summary

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The first part of this paper will detail the gun buyback I organized in New Haven that took place on Saturday, December 16, 2017. I first examine how and why I decided to look at the problem of American gun violence through a human rights framework. The paper will then discuss the background of the project and the original idea. In that section, I note key partners in the project, namely the New Haven Police Department, Yale New Haven Hospital, and the national nonprofit Gun by Gun. Following that, I mention the three goals for this project: to expand citizen-activism, decrease the number of potentially dangerous guns in circulation, and create cultural change around guns. After that, I write about the methodology of the project that put these goals into action. To provide the reader context, I have included a basic sketch of the state of gun violence in New Haven, including recent trends and groups that are most affected. I conclude by reflecting on the project and analyzing the opportunities and challenges it posed. There, I include critiques of gun buyback programs and the role of the police in the project. I conclude by posing questions around gun reform and citizen activism.

The second portion of this paper is an academic essay that looks at the role of human rights discourse in debates around gun violence. It investigates what precipitated the well-known Australian gun buyback of 1996 and notes the lack of human rights rhetoric. It then argues that invoking human rights rhetoric and international human rights law to enact gun reform in the U.S. is not prudent because of the cultural significance of the Second Amendment and the hostility towards international law. The works cited section at the end of the paper is divided into two sections: citations from the reflection and citations from the academic essay.

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## Part 1: Project Reflection

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### Relationship to Human Rights

It's little secret that gun violence is one of the most urgent public safety and public health concerns in the United States. The scale of gun violence is unparalleled, and the U.S. suffers disproportionately from guns compared to other high-income countries. According to a study in the *American Journal of Medicine*, the United States' gun-related murder rate is twenty-five times higher than twenty-two other high-income nations. That number is even starker for individuals: Americans are ten times more likely to die because of a bullet than people in other developed countries.<sup>1</sup>

While gun violence affects all Americans, it has harsher implications for African-Americans and Latinos: the majority of those killed in gun violence are people of color. Specifically, while African Americans make up roughly 14 percent of the population, they account for over half the victims of gun homicide.<sup>2</sup> Additionally, gun violence plagues American youth. According to the Center for Disease Control, firearm-related deaths are the third leading cause of death overall among U.S. children aged 1 to 17 years, surpassing the number of deaths from pediatric congenital anomalies, heart disease, influenza and/or pneumonia, chronic lower respiratory disease, and cerebrovascular causes.<sup>3</sup>

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<sup>1</sup> Erin Grinshteyn and David Hemingway. "Violent Death Rates: The U.S. Compared with Other High-Income OECD Countries, 2010" in *The American Journal of Medicine* 129 (3): March 2016. 266-273

<sup>2</sup> "Fatal Injury Reports," Injury Prevention & Control: Data & Statistics (WISQARS), accessed January 25, 2015, <http://1.usa.gov/1pIXBux>

<sup>3</sup> Sarah Bacon, Linda L. Dahlberg, Katherine A. Fowler, Carmen Gutierrez, and Tadesse Haileyesus. "Childhood Firearm Injuries in the United States." *Pediatrics* 140, no. 1 (2017).

This project viewed gun violence as a pressing human rights crisis. The fact that among high-income countries, the United States accounts for eighty percent of all gun deaths in the world, has clear implications for the American commitment to human rights.<sup>4</sup> Laws on guns in the United States are inconsistent and weak – and federal, state, and local governments are not meeting their obligation under international law to protect people’s safety. In 2014, the United Nations Human Rights Committee issued a report condemning the U.S. government’s record on gun violence. Specifically, the report questioned the American commitment to the International Covenant on Civil and Political Rights (ICCPR)—which guarantees the right to life and security of individuals.<sup>5</sup>

The failure to both legislate against the purchase and accumulation of deadly weapons and ensure common-sense background checks shows gaps between human rights commitments and current laws. Article VI of the Covenant states that “Every human being has the inherent right to life. This right shall be protected by law. No one shall be arbitrarily deprived of his life.”<sup>6</sup> Though the state is usually not the principal aggressing actor with regards to gun violence since private citizens pull the trigger, the government still retains a duty to protect its citizens. In failing to pass common-sense gun reform, the government violates its commitment to the ICCPR and human rights law.

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<sup>4</sup> “Gun Violence,” Amnesty International. <https://www.amnestyusa.org/issues/gun-violence/>

<sup>5</sup> United Nations Human Rights Committee, “Concluding Report on the Fourth Periodic Report of the United States of America,” April 23, 2014.

<sup>6</sup> UN General Assembly, International Covenant on Civil and Political Rights, December 16, 1966, United Nations, Treaty Series, vol. 999, p. 171.

## Background

After reading about a successful gun buyback that occurred in Los Angeles this past summer, I became interested in organizing a similar project in New Haven. In a gun buyback, a state entity (traditionally a police department) purchases privately owned firearms from citizens. I reached out to the nonprofit Gun by Gun, which has organized successful gun buybacks across the West Coast. The group had never worked on a buyback in the northeast and was eager to expand their regional focus. After preliminary conversations on the scope and size of the buyback, I contacted the New Haven Police Department and met the head of partnerships and programs. At the police headquarters, we discussed previous buybacks in the city and state and the overall effect of gun violence in New Haven (see sections below). The Police Department, a significant ally in this program, was eager to support the project to both decrease incidents related to gun violence and to rehabilitate its image within low-income, black and brown communities in New Haven. In offering people a chance to turn-in their weapons and meet police officers, the Department believed that a buyback would better the relationship between at-risk communities and the police.

In addition to the Police Department, Yale New Haven Hospital served as a committed ally for the project. Yale New Haven Children's Hospital has seen both youth and elderly victims of gun violence. During the period between 2003 and 2015, the hospital reported treating a total of 1,225 gun shot incidents involving 1,199 different victims.<sup>7</sup> This number does not represent the total number of gunshot victims in New Haven, as some sought treatment at other

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<sup>7</sup> Tina Law, Simone Seiver, Andrew Papachristos, Pina Violano. "Age of Gunshot Victims in New Haven, 2003-2015, Institution for Social and Policy Studies, January 2017.

hospitals and some died on the scene and were not transported. As such, the hospital was interested in the program principally through a public health standpoint. Furthermore, the manager for Injury Prevention, Community Outreach, and Research for Yale-New Haven Children's Hospital had worked on previous buybacks, so she brought a wealth of knowledge to our work.

It is also imperative to note that the buyback would not be possible without Gun by Gun, the nonprofit that has operated buybacks on the West Coast. It provides local volunteers with a turnkey system including technical tools, resources, and advice to organize a gun buyback in one's own city. Its crowdfunding campaigns give a broad audience of people the opportunity to remove dangerous guns from their community with a small donation. That allowed those across the country to donate to the project, thus increasing funds.

Decades of empirical data suggest that every 1% reduction in the rate of gun ownership translates to a 0.9% decrease in the rate of gun deaths in a community.<sup>8</sup> Today, gun deaths kill roughly the same number of people as car crashes in the U.S., but the last major federal policy reform addressing gun violence took place in 1995.<sup>9</sup> This inaction by federal and state governments leave citizens disempowered and disengaged. It begs the question: "In an age where gun reform seems unlikely to pass, how can individuals protect their communities and

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<sup>8</sup> Charles King, Yamrot Negussie, Jane Pleskunas, Craig S. Ross, Michael Siegel, and Sarah Vanture. "The Relationship Between Gun Ownership and Stranger and Nonstranger Firearm Homicide Rates in the United States, 1981–2010." *American Journal of Public Health* 104, no. 10 (April 17, 2014): 1912-919.

<sup>9</sup> Margot Sanger-Katz and Kevin Quealy, "Comparing Gun Deaths by Country: The U.S. is in a Different World," in *The New York Times*, June 13, 2016.

combat gun violence?” The answer is unclear, and it is impossible for individuals to completely eradicate gun violence without the help of the state.

### Methodology/Goal of the Project

There were three goals for this project: to expand citizen-activism, decrease the number of potentially dangerous guns in circulation, and and create cultural change around guns. Though a police department traditionally collects the guns in buyback, the event can provide an outlet for individuals to organize their communities to achieve tangible results. In communities racked by gun violence—which often have a tenuous relationship with the police and an only slightly better opinion of elected officials—the chance to create change from the ground up is both appealing and preferred. These individuals and organizers can become change agents within their communities and often help catalyze efforts to change local gun policy. In doing so, the project addresses the issue of community trauma caused by repeated gun violence in neighborhoods and the resulting erosion of social bonds and support among neighborhood residents. The project does not explicitly criticize the Second amendment, and it works within the bounds of our current gun laws. That is to say, the buyback is not a solution to gun violence and it does not claim to be. At best, it is a band-aid solution aimed to lessen the rates of gun violence. Still, the ultimate goal is a quantifiable impact on the rate of gun deaths in New Haven communities.

The two main components to operating a gun buyback are fundraising and publicity, which though seemingly separate, are actually intertwined. With the help of Gun by Gun, I launched a crowdfunding platform to help collect donations online, which allowed people across the country to both learn about the campaign and donate. Yale New Haven Hospital graciously

committed \$10,000 to the project, and the Injury Free Coalition for Kids and the Newtown Foundation also made hefty donations. In addition to grants and small-scale donations, I established partnerships with local New Haven restaurants for a portion of proceeds to go towards the program.

In addition to fundraising, efficient and targeted publicity was key to the buyback, and so the partnership with the Injury Free Coalitions for Kids, YNHH, and the Police Department was crucial. Both the Hospital and Injury Free Coalition for Kids advertised the event to their patients. I also reached out to faith-based communities in New Haven, including Bridges of Hope, Elm City Vineyard, Congregation Beth Israel, Congregation Beth El-Keser, Varick AME Church, George St. Mosque, and Dixwell UCC Church, and some were able to yield funds to support the project. Others, such as the churches in Dixwell, were useful to publicize the event to a wider audience that wouldn't have otherwise known about it. Finally, I worked to create a relationship with the New Haven Family Alliance, a longstanding community based organization in New Haven, to better shore up community support for the event. I focused on publicizing the event to low-income black and brown communities, which are the most at-risk groups for gun violence. I strongly believe that partnerships with community organizations and institutions improved participation and impact.

Despite the prevalence of buybacks across the nation, they are not created equal: the design and implementation has serious implications for their effectiveness. I worked with the Police Department to analyze survey results from previous buybacks in Connecticut. This data was incredibly helpful, and it allowed us to be more targeted in our outreach. For example, in a previous buyback in Bridgeport, 70% of participants said they turned in a gun out of safety



concerns, and more than 50% were concerned that a child would access and use the firearm. By reviewing surveys from the previous buybacks, we were better able to understand what incentivized community participation.

Based on empirical research, study of previous buybacks, and consultation with the police department and others across Connecticut, we arranged our buyback in New Haven to retain the following components. First, we structured compensation to attract the right guns. That is, we offered higher rewards for more dangerous weapons in order to incentivize collection of the most dangerous weapons. This graded system, where there is a larger reward for handguns and assault weapons, helped attract firearms that could do the most damage. Additionally, all guns collected will be destroyed. Allowing collected guns to re-enter circulation undermines the principal objectives of the program, the efforts of community partners, and the educational campaigns designed to encourage participation. Prison inmate volunteers in Connecticut will transform the destroyed weapons into gardening tools, which will then be disseminated in New Haven public schools so students can plant and harvest vegetables for soup kitchens. Finally, participation in the event was anonymous, and there was a no questions asked policy to encourage participation. As a result, those who have acquired guns illicitly were able to turn in their weapons without fear of retribution. Attendees were also asked to fill out a survey to gauge their interest in the program and their history with guns. This information, which was recorded anonymously, will be useful for future buybacks in the city.

## Gun Violence in New Haven

New Haven, Connecticut is a mid-sized city with a population of 129,779—a population total that has remained steady for the past two decades. The city is predominantly white (42.6%) and black (35.4%), with a growing Hispanic population (27.4%) that increased by roughly 30% between 2000 and 2010.<sup>10</sup> After deindustrialization and the movement of families to the suburbs, the city has struggled with poverty. Today, the median income for a household in New Haven is \$37,508, which is significantly below the national median of \$59,039, and one in every four residents lives below the poverty line.<sup>11</sup> While the 1980's and '90's have earned New Haven a reputation as a hub of gangs and violence, violent crime has been on downswing overall in the last six years.<sup>12</sup>

Still, there have been more shooting injuries in New Haven in recent years. According to a study of gunshot victims at YNHH, gunshot wound incidents treated at YNHH peaked in 2009 and then declined steadily until roughly 2013. Since 2013, for reasons that are unclear, GSW incidents treated at YNHH have begun trending upward again, with a total of 95 GSW incidents in 2015—nearly double the number of GSW incidents that occurred in 2003. Mirroring national trends, the majority of victims are African-American.

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<sup>10</sup> U.S. Census Bureau. 2010. “Profile of General Population and Housing Characteristics: 2010 Demographic Profile Data. Accessed at:

<https://factfinder.census.gov/faces/tableservices/jsf/pages/productview.xhtml?src=bkmk>

<sup>11</sup> “New Haven Ranked among ‘Most Dangerous’ Cities in U.S. Again, Here’s Why You Shouldn’t Believe It” in *New Haven Register*. February 28, 2014.

<http://www.nhregister.com/general-news/20140228/new-haven-ranked-amongmost-dangerous-cities-in-us-again-heres-why-you-shouldnt-believe-it>

<sup>12</sup> Paul Bass, “Gun Violence Triggers Heated Words” in *The New Haven Independent*. July 27, 2017. [http://www.newhavenindependent.org/index.php/archives/entry/newhallville\\_encounter](http://www.newhavenindependent.org/index.php/archives/entry/newhallville_encounter)

## Results

The buyback happened on December 16, 2017 at the New Haven Police Academy. In total, over 75 people turned in 138 firearms, and the police handed out 25 free gun locks. The buyback surpassed the initial goal of 100 firearms, and it was the most successful buyback to ever happen in New Haven. The turnout was super, especially considering the weather—it had snowed heavily the night before. It's worth discussing why there was such high participation. First, it was lucky that New Haven had buybacks before, because had it not, we would have had to institute a whole new framework and work to gain support from city officials. Still, this buyback functioned differently from those that have previously happened in New Haven. First, the presence of Gun by Gun, a national nonprofit, allowed for extra fundraising. Individuals across the country—in Texas, California and the Midwest—all contributed to the online crowdfunding campaign. Yale New Haven Hospital and the Injury Free Coalition for Kids also donated hefty amounts, so in conjunction with the Gun by Gun funding, there was over \$20,000 raised. This formed a bedrock of the project and allowed the buyback to happen. Publicity was equally important. In previous buybacks, gun collectors and elderly people had been the main participants. However, as gun violence principally affects marginalized communities, I hoped the buyback would reach an at-risk population. As such, I targeted churches in low-income, primarily African American neighborhoods and asked for them to publicize the event to their congregations. I also found an ally in the New Haven Family Alliance, which also publicized the event. Finally, turning the weapons into gardening tools became a useful public relations technique that attracted attention from national outlets, including the *New York Times* and National Public Radio.

## Critiques and Challenges

While the project was a resounding success over all, there were of course concerns. First, viewing gun violence as a human rights issue posits that the state is an aggressing actor; after all, it is the state that fails to protect the right to life by preventing common sense gun reform. The buyback, however, relies on the state. It would not have been possible without the police department, which is of course an agent of the state. Furthermore, while this wasn't explicitly expressed to me, I worry that having officers present at the buyback ignores the long history of state-sanctioned police violence against black and brown communities. The mere presence of officers at the buyback is enough to dissuade minority citizens from participating, but it's impossible to handle such a large amount of weapons without officers present. Furthermore, I worried that the presence of officers would deter undocumented people from attending the buyback, even though they often live in low-income neighborhoods at-risk for violence. While the police were adamant beforehand that they would not interrogate about legal status, it still felt too risky to publicize the event to undocumented communities. I worry that the project, specifically the involvement of the police, unintentionally ignored racial dynamics that all human rights work needs to address.

There is also the question of the effectiveness of buybacks. Garen Wintemute, director of the Violence Prevention Research Program at the University of California, Davis, has stated that the voluntary nature of buybacks means that they take no more than one or two percent of the

guns out of a given community.<sup>13</sup> Wintemute, like many academics, argues that buybacks make nice photoshoots but do little to actually alleviate violence. To his point, the New Haven buyback did see a fair amount of hunting weapons as well as a host of weapons that were quite old. Perhaps the most important question is whether buybacks remove guns that would be used for crimes. This is largely unanswerable, but if buybacks end up with hunting rifles or old revolvers from someone's attic, they aren't necessarily helping lower the number of gun deaths.

### Conclusion

While it will never be clear if the buyback prevented a gun-related accident or death, it is clear that the buyback presented an opportunity for a community to rally against gun violence. Buybacks offer the opportunity for individual citizens to work within their communities and establish positive relationships with the police. They are a chance for constituents to display “citizen power” in the face of political inaction around gun reform. One could argue that they raise awareness about gun violence, and while that is likely true, I don't believe that more awareness will lead to gun reform. Americans are already well aware of the frequency of mass shootings and gun-related deaths; they only need to turn on cable television each week. Massacres across the country, including of white children at Sandy Hook, have failed to result in large-scale gun reform. So, the question remains: How can we change the gun culture in our country? After working on this project for over six months, I have more questions than answers, but I'm eager to continue working and have irrational optimism that it will, one day, get better.

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<sup>13</sup> Scott Neuman, “Newtown Prevents Gun Buybacks, But Do They Work?” *NPR*, January 15, 2013. <https://www.npr.org/2013/01/15/169439243/newtown-prompts-gun-buybacks-but-do-they-work>



The buyback occurred on December 16, 2017 at 710 Sherman Parkway, and accumulated 138 weapons.